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COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: April 13, 2015

FROM: STEPHEN B. JOHNSON, COMMANDER
CENTRAL PATROL DIVISION

TO: CORONNE JACOB, CAPTAIN
TEMPLE STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	FO2336692
Incident:	Force
Incident Date:	June 7, 2013
Unit:	Temple Station
Suspect:	Villalobos, Alfredo MH/12/14/69
Involved Employee:	Deputy Kevin Yoon #[redacted]
EFRC Date:	April 9, 2015

The Executive Force Review Committee (EFRC) consisting of Commanders Stephen Johnson, David Halm, and Patrick Maxwell met and reviewed the above case.

FINDINGS:

The EFRC determined the force was in policy however, the tactics used against the suspect violated the following sections of the Manual of Policy and Procedures:

- 3-01/090.10 – Operation of Vehicles
- 5-09/210.02 – Initiation of a Pursuit
- 5-09/220.50 – Foot Pursuits

RECOMMENDATIONS:

The EFRC recommended a 10 day suspension for Deputy Kevin Yoon. The EFRC also recommended Unit Commander of Temple Station, Captain Coronne Jacob, conduct a tactical debriefing of the incident to include the importance of canvassing the area for surveillance cameras.

SBJ:JRB:jrb

761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: April 13, 2015

FROM: STEPHEN B. JOHNSON, COMMANDER
CENTRAL PATROL DIVISION

TO: DONNIE MAULDIN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

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Incident:	Force
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BEFORE THE CIVIL SERVICE COMMISSION OF THE

COUNTY OF LOS ANGELES

In the matter of the ***discharge****, effective June 11, 2015, from the position of Deputy Sheriff, Sheriff's Department, of* **KEVIN YOON** **(Case No. 15-205)**	ORDER OF THE CIVIL SERVICE COMMISSION

On March 20, 2019, the Civil Service Commission of the County of Los Angeles over-ruled the Petitioner's objections and adopted as its final decision to impose a thirty (30) day suspension. The Commission finds that the department did not bear its burden of proof in establishing the appellant intentionally falsified the report. The department's decision not to allow the petitioner an opportunity to view and file a supplemental report are considered mitigating factors in reaching this conclusion. However, the petitioner's violation of policies cited in conclusions of law two (2) and three (3) are very serious and warrant significant discipline short of discharge. The Commission finds that the appropriate level of discipline is a thirty (30) day suspension.

Dated this 3rd day of April, 2019.

STEVEN AFRIAT, President

PERCY DURAN III, Member

NAOMI NIGHTINGALE, Member

JOHN DONNER, Member

Z. GREG KAHWAJIAN, Member



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

April 25, 2019

Deputy Kevin Y. Yoon, #[redacted]

Dear Deputy Yoon:

AMENDED LETTER OF IMPOSITION

On June 11, 2015, you were served with a Letter of Imposition under File Number 2337147, notifying you that you were discharged from your position of Deputy Sheriff, Item no. 2708A, with the Department, effective as of the close of business June 11, 2015.

On March 20, 2019, the discipline was reduced pursuant to a Civil Service Commission Final Decision. All Departmental records will reflect that you received a thirty (30) day suspension. The thirty (30) day suspension will be deemed served June 12, 2015 through July 11, 2015.

Pursuant to the Civil Service Commission's Final Decision, the investigation under IAB File Number 2337147 conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders [as pertaining to, 5-09/210.02, Pursuits; and/or 5-09/200.30, Vehicle Speeds], on or about June 7, 2013, you failed to conform to the work standards established for your rank as a deputy sheriff assigned to patrol at Temple Sheriff's Station as evidenced by, but not limited to the following:

   a. engaging in a vehicle pursuit without communicating your actions to, or seeking authorization from the station watch commander, and/or the Sheriff's Communications Center via

your Department's radio system; and/or,

b. failing to recognize that you were engaged in a pursuit situation when you chased the suspect's vehicle for the purposes of apprehending the driver who fled from you at a high rate of speed during a traffic stop for vehicle code violations; and/or,

c. driving your patrol vehicle on city streets at speeds registering on your Mobile Digital Computer as greater than the basic speed laws without being authorized by your watch commander to travel in a Code Three mode and/or notifying the Sheriff's Communications Center and/or seeking authorization from your watch commander; and/or,

d. failing to notify your supervisor of your traffic stop, and the fact that the driver of the vehicle drove away from you during the traffic stop, and you chased the vehicle, at times at a high rate of speed, in an attempt to apprehend the driver of the vehicle (vehicle pursuit).

2. That in violation of Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders [as pertaining to 5-09/220.50, Foot Pursuits], on or about June 7, 2013, you engaged in a one man foot pursuit and contrary to Department policy, you failed to communicate your actions to the station watch commander, and/or the Sheriff's Communications Center via your Department's radio system, and/or closed the distance between yourself and the suspect and pulled the suspect off of a fence in order to apprehend him.

3. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders [as pertaining to 3-01/005.10, Responsibility for Documentation]; and/or 3-01/030.05, General Behavior, on or about June 7, 2013, you failed to fully and accurately inform your supervisor of your actions during the arrest of Alfredo Villalobos, and/or fully and accurately document or record your observations and actions in a criminal report (Sheriff's Department URN 013-05345-0532-057). Although you were named as a suspect in a criminal police report (Sheriff's Department URN 913-00073-2003-441) related to False Information in a Police Report, 118.1 C.P.C., the

District Attorney's Office determined not to file a case. Your conduct brought discredit to yourself and/or the Department.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Josie S. Woolum, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

C NTYOFLOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

Date: April 28, 2015

File No: IAB IV2337147

DISPOSITION SHEET

FROM: BUDDY GOLDMAN, CHIEF
SOUTH PATROL DIVISION

TO: DONNIE L. MAULDIN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **KEVIN YOON, #[redacted]**
DEPUTY SHERIFF
TEMPLE STATION
EAST PATROL DIVISION

Upon consideration of the facts developed in this investigation, I have determined that Subject Kevin Yoon be **DISCHARGED** from his position as a Deputy Sheriff for the reasons set forth in the attached documentation. This decision may be reconsidered based on the employee's response.

Buddy Goldman, Chief — Date: 04-28-15

CASE REVIEWED BY

Richard J. Barrantes, Assistant Sheriff — Date: 4-28-15

Todd S. Rogers, Assistant Sheriff — Date: 4/28/15

Neal Tyler, Executive Officer — Date: 4/28/15

Jim McDonnell, Sheriff — Date: 5-1-15

Deputy Sheriff
Temple Station
East Patrol Division

The evidence developed in this investigation does support the following charges:

1. That in violation of Manual of Policy and Procedures Section(s) 3-01/050.10, Performance to Standards; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders [as pertaining to, 5-09/210.02, Pursuits; and/or 5-09/200.30, Vehicle Speeds], on or about June 7, 2013, Subject Yoon failed to conform to the work standards established for his rank as a deputy sheriff assigned to patrol at Temple Sheriff's Station as evidenced by, but not limited to the following:

   a. engaging in a vehicle pursuit without communicating his actions to, or seeking authorization from the station watch commander, and/or the Sheriff's Communications Center via his Department's radio system; and/or,

   b. failing to recognize that he was engaged in a pursuit situation when he chased the suspect's vehicle for the purposes of apprehending the driver who fled from him at a high rate of speed during a traffic stop for vehicle code violations; and/or,

   c. driving his patrol vehicle on city streets at speeds registering on his Mobile Digital Computer as greater than the basic speed laws without being authorized by his watch commander to travel in a Code Three mode and/or notifying the Sheriff's Communications Center and/or seeking authorization from his watch commander; and/or,

   d. failing to notify his supervisor of his traffic stop, and the fact that the driver of the vehicle drove away from him during the traffic stop, and he chased the vehicle, at times at a high rate of speed, in an attempt to apprehend the driver of the vehicle (vehicle pursuit).

2. That in violation of the Manual of Policy and Procedures Section(s) 3-01/030.10, Obedience to Laws, Regulations and Orders [as pertaining to 5-09/220.50, Foot Pursuits], on or about June 7, 2013, Subject Yoon engaged in a one man foot pursuit and contrary to Department policy, he failed to communicate his actions to the station watch commander, and/or the Sheriff's Communications Center via his Department's radio system, and/or closed the distance between himself and the suspect and pulled the suspect off of a fence in order to apprehend him.

3. That in violation of Manual of Policy and Procedures Section(s) 3-01/050.10, Performance to Standards; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders [as pertaining to 3-01/005.10 Responsibility for Documentation; and/or False Statements in a Police Report, 118.1 C.P.C.]; and/or 3-01/030.05, General Behavior, on or about June 7, 2013, Subject Yoon failed to fully and accurately inform his supervisor of his actions during the arrest of Alfredo Villalobos, and/or fully and accurately document or record his observations and actions in a criminal report (Sheriff's Department URN 013-05345-0532-057). Although Subject Yoon was named as a suspect in a criminal police report (Sheriff's Department URN 913-00073-2003-441) related to False Information in a Police Report, 118.1 C.P.C., the District Attorney's Office determined not to file a case. Subject Yoon's conduct brought discredit to himself and/or the Department.

4. That in violation of Manual of Policy and Procedures Section(s) 3-01/040.70, False Statements; and/or 3-01/100.35, False Information in Records; and/or 3-01/000.00, Professional Conduct, on or about June 7, 2013, Subject Yoon placed false statements and information in a criminal report (Sheriff's Department URN 013-05345-0532-057) and caused damage to the reputation of the Department as evidenced by, but not limited to the following:

   a. documenting that, "I saw a green Honda Accord (Lic#[redacted] driving eastbound on Garvey Avenue at a high rate of speed. The green Honda Accord then made a quick right turn onto Pine Street. As the vehicle was turning I could hear the tires of the vehicle skidding," and/or words to that effect; and/or,

   b. documenting that, "I turned on my overhead lights in order to clear the intersection of Garvey Ave. and Pine Street," and/or words to that effect; and/or,

   c. documenting a sequence of events that reads, "As soon as I cleared the intersection of Garvey Avenue and Pine Street I turned off my overhead lights," and "I saw the vehicle make a right, west onto an unknown street," and omitting that the vehicle yielded for his traffic stop and then fled the scene of the traffic stop, and/or words to that

effect; and/or,

d. documenting that, "I drove west on Fern Ave and north onto Falling Leaf Ave," and/or words to that effect.

SUMMARY:

On June 7, 2013, Subject Yoon was involved in an arrest and use of force incident which was investigated per Department policy by the Internal Affairs Bureau. The use of force evaluation also revealed that Subject Yoon did not follow Department policy and procedures regarding his foot and vehicle pursuit. The Department's Executive Force Review Committee provided recommendations regarding his pursuit related violations.

Internal Affairs Bureau investigators discovered video and computer forensic evidence that contradicted the sequence of events established by Subject Yoon in his incident report, thus indicating he fabricated or omitted information in his arrest report.

Due to the false statements in the criminal report, investigators from the Internal Criminal Investigations Bureau referred their investigation to the Justice System Integrity Division (JSID) of the District Attorney's Office for filing consideration. The District Attorney's office did not file criminal charges against Subject Yoon. The false statements made by Subject Yoon were considered "non-material" statements as they did not appear to have any impact on the suspect's detention or arrest. Subject Yoon admitted to the inconsistencies and omissions evident in his arrest report.

The investigations revealed that Subject Yoon made a traffic stop of the suspect's vehicle for vehicle code violations. The suspect, Alfredo Villalobos, stopped his vehicle, but suddenly accelerated away before Subject Yoon was able to contact him. Subject Yoon gave chase until Alfredo Villalobos' vehicle collided with another vehicle on the highway. Alfredo Villalobos then attempted to escape the scene by placing his damaged vehicle in gear and driving away. Alfredo Villalobos' efforts were defeated when his car collided into the patrol car driven by Subject Yoon. Alfredo Villalobos made a second attempt at escape by running from the scene. Subject Yoon gave chase and stopped Alfredo Villalobos as he attempted to climb a fence. Once on the ground Subject Yoon applied force to control and subdue Alfredo Villalobos. Alfredo Villalobos was taking into custody with the help of additional personnel.

Due to the use of force and associated injuries, Internal Affairs Bureau personnel investigated and documented the incident. Upon reviewing Subject Yoon's reports and notifications to his supervisors, the investigators compared his account of the incident to video and computer forensic information and the statements of Alfredo Villalobos.

Their comparison revealed that Subject Yoon's arrest report of Alfredo Villalobos did not account for some of the actions taken during this incident and contained false information. They also discovered that Subject Yoon did not provide his supervisors with an accurate account of this incident.

Most obvious is the fact that Subject Yoon did not document the traffic stop where Alfredo Villalobos complied and then fled before Subject Yoon was able to reach Alfredo Villalobos' vehicle on foot and contact him. Subject Yoon did not accurately account for his actions prior to the traffic stop, as the video footage and computer forensic information showed a different perspective of how and when Subject Yoon contacted Alfredo Villalobos. It even provides a different account of the sequences regarding Subject Yoon's use of his overhead lights on his vehicle. Alfredo Villalobos' account of the incident also contradicted Subject Yoon's report and supervisor notification.

Additionally, Subject Yoon did not account for his driving speeds when he attempted to stop Alfredo Villalobos for a second time. The forensic evaluation of the information recorded by his patrol car computer suggests that he was traveling on city streets at speeds nearing eighty-five miles per hour and his course of travel was similar to the account provided by Alfredo Villalobos, not what he documented in his report. The information shows that Subject Yoon was in-effect pursuing Alfredo Villalobos, but he did not follow or conform to the Department's vehicle pursuit policy. Subject Yoon did not use his radio to communicate his or Alfredo Villalobos' actions, especially while they were driving on city streets at high rates of speed.

Although Alfredo Villalobos' vehicle collided into another user of the highway, he attempted to flee the scene and caused his vehicle to accelerate and strike Subject Yoon's vehicle.

A foot pursuit ensued as Alfredo Villalobos exited his vehicle and ran from Subject Yoon. Subject Yoon gave chase and requested assistance via his portable radio. Subject Yoon failed to comply with the Department's foot pursuit policy as a single person pursuer and closed distance on Alfredo Villalobos in order to apprehend him. Alfredo Villalobos ran for approximately 50 feet and attempted to climb over a fence when he was pulled off of the fence by Subject Yoon. In order to maintain control of Alfredo Villalobos and control him, Subject Yoon used force on, and caused injury to Alfredo Villalobos.

Subject Yoon sustained an abrasion to his right forearm and a sprained left thumb. He was treated for his injuries.

Suspect Villalobos was booked for Assault with a Deadly Weapon on a Peace Officer, Possession of a Controlled Substance (Methamphetamine), Battery on a Peace Officer,

and Hit and Run, 2002(a) CVC. The Los Angeles County District Attorney's Office declined to file charges against Suspect Villalobos due to the internal investigation regarding the veracity of Subject Yoon's incident report.

Subject Yoon stated in his administrative interview that he re-read his report and realized he made some mistakes and wanted to clarify those mistakes. In addition, he realized his report was written incorrectly after he re-read his report and returned to the incident location and drove the streets he believed he traveled on the night of the incident.

Subject Yoon stated he did not realize he was in a pursuit because he thought his lights and siren had to be on while chasing Alfredo Villalobos. In addition, he stated he did not use the radio to request assistance because he was unsure of why he was following Suspect Villalobos and he did not want to sound panicked over the radio.

Subject Yoon stated that he did not remember the direction he drove, the names of the streets he traveled on, or how fast he was going.

Subject Yoon reported the incident as described in his Incident Report to Witness Sergeant Alan Liu. He did not report the initial traffic stop or being involved in a vehicle pursuit. Due to the above, Witness Sergeant Liu completed a Foot Pursuit Evaluation form, but did not complete a Vehicle Pursuit Evaluation form.

Discipline Assessment

Review of Applicable "Guidelines for Discipline" Sections

The Department's Guidelines for Discipline lists the following analogous misconduct with associated disciplinary penalties:

Performance to Standards	Written Reprimand to Discharge
Obedience to Laws, Regulations, and Orders	Written Reprimand to Discharge
Vehicle Pursuits	1 to 15 Days
Vehicle Speeds	3 to 5 Days
Foot Pursuits	1 to 5 Days
False Statements	Discharge
False Information in Records	20 days to Discharge

Professional Conduct	Written Reprimand to Discharge
Responsibility in Documentation	Written Reprimand to Discharge

Assessment of Mitigating and Aggravating Factors

Subject Yoon was not truthful when initially documenting the incident on the incident report and reporting his actions to his supervisor. Furthermore, given his position as a deputy sheriff, he should be aware of the pursuit policy and should have known he was in pursuit and reported it as such. All members of the Department are expected to act in accordance with all laws, regulations, and policies, as well as provide truthful statements at all times so as not to bring discredit upon himself or the Department. In this matter, Alfredo Villalobos' charges were not pursued by the District Attorney because the veracity of Subject Yoon's report was compromised.

Misconduct that calls into question an employee's credibility and/or integrity could compromise a criminal prosecution in which the employee was involved and could expose the employee to being impeached if called to testify in the criminal trial.

The reputation of the Los Angeles County Sheriff's Department is based on the credibility and integrity of its employees. These traits are critical to earning the public's confidence and trust.

Subject Yoon's ability to testify in court has been impacted because Subject Yoon was found to have written a false police report. Therefore, Subject Yoon's conduct in this case has resulted in the determination that he/she is no longer suitable for employment as a deputy sheriff, because the ability to testify in court is an essential job junction.

Severity of Infraction

Subject Yoon is a law enforcement officer and is looked upon as a role-model and a figure of trust. His actions, in not being forthright and truthful with regard to his actions and statements on his initial report, is a violation of Department Policy and reflect poorly upon himself and the Department. It is clear in reviewing the video surveillance and examining data from his MDC, Subject Yoon was not forthcoming regarding his actions and observations during the incident.

Intent, Truthfulness, and Acceptance of Responsibility

When specifically questioned about the details of this incident, Subject Yoon was cooperative; however, he did not address all of the discrepancies in his report. He maintains he was simply mistaken in his route of travel due to the chaotic chain of

events. Although under some circumstances this may occur, it does not appear Subject Yoon adequately explained all of the discrepancies.

Subject Yoon admitted that his report was not accurate.

Degree of Culpability

Subject Yoon is solely responsible for the false statements and inaccurate account of the incident documented in his report.

Past Performance and Disciplinary History

Subject Yoon served a three day suspension regarding a violation of general behavior, performance to standards and obedience to laws, regulations and orders after he failed to report and/or document damages he caused when he kick a door at a motel room during a burglary investigation.

Disposition

Based upon the foregoing assessment of mitigating and aggravating factors, the following is the level of discipline to be assessed, subject to revision upon receiving Subject Yoon's response or grievance:

_X_ Discharge

____ Reduction in Rank

____ Suspension with loss of pay and benefits for ___ days.

____ Written Reprimand

____ No discipline recommended